ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Petition for Rule Making to Permit	)	
the Licensing of Portable/Mobile	)	RM _____
Transmitters on Frequencies in	)	
the Aeronautical Enroute Service.	)	

PETITION FOR RULEMAKING

Aeronautical Radio, Inc. (ARINC), hereby petitions the Federal Communications Commission to amend Part 87 of its Rules (47 C.F.R. Part 87) to permit the licensing of aeronautical ground mobile units in the aeronautical enroute service under limited circumstances for aeronautical operational control communications.

ARINC was established by the air transport industry in 1929 to provide and coordinate communications facilities and services to that industry. The Federal Radio Commission, the predecessor of the Federal Communications Commission (FCC), saw the wisdom in the creation of a single focal point for the growing communications needs of civil aviation. Since that time, ARINC has provided the services and communications expertise necessary to support the safe, economic, and efficient operation of aircraft and the safety of life and property in the air. ARINC and the air transport industry have endeavored for more than 65 years to develop, deploy, and use advanced communications and radionavigation technologies in the public interest.

The present rules allow portable transmitters to operate as aircraft stations, which may be used to communicate with an aeronautical enroute station only when operated on board an aircraft.[1] Also, portable/mobile transmitters may be licensed to operate on frequencies allocated to the aeronautical utility mobile service.[2] However, there are

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1 47 C.F.R. 87.47.

2 47 C.F.R. 87.345.

currently no provisions for operation of aeronautical ground mobile or portable equipment on aeronautical enroute frequencies.

Several air carriers have expressed a requirement for direct communications between ground crews and the flight crew for such purposes as aircraft de-icing and ramp control. These functions have just recently been delegated to air carriers as a result of Federal Aviation Administration (FAA) actions. New regulations and procedures have been implemented for de-icing aircraft prior to take-off. Airport construction and design often prevents the FAA tower from viewing all gate areas and has led to the situation where aircraft operators are required to control aircraft movements in the hidden gate areas. Current practice of relaying communications through dispatch centers is inconvenient and can result in flight delay and garbled messages. De-icing crews must have instantaneous contact with the flight crew while working around moveable wing surfaces, or near running engines. Ramp crews must be able to instantly advise of intruding vehicles when pushing back aircraft from gates. Maintenance crews must be able to request flight crew confirmation of the results of their repairs prior to take-off, or to prepare for rapid turn-around of an arriving aircraft that requires maintenance. Direct communications between ground crews and the flight crews in matters of flight release, aircraft movement, and repairs and maintenance would facilitate the safe and efficient operation of aircraft and otherwise serve the public interest.

In the past, the Commission has accommodated similar air carrier requirements by permitting licensure of aeronautical enroute stations at temporary fixed locations. These stations are permitted to be used only while not in motion. This restriction was acceptable for use of the "mobile" unit as an extension of ground control access to the end of a runway for maintenance or other emergencies, or to restore aeronautical station communications. However, new requirements can only be met using fully portable/mobile equipment. In order to ensure proper control of these aeronautical ground mobile units, the portables/mobiles should be licensed under the same authorization as their associated ground station, under a common call sign.

ARINC is confident that aeronautical ground mobile units may be licensed as described above without any material adverse impact upon the core uses of the spectrum.

ARINC currently exercises control over all aeronautical enroute stations in the United States, directly or through designated Station Representatives. Neither ARINC nor its customers will tolerate misuse of their safety communications facilities, which are vital to the efficiency and economy of their operations. The potential for abuse of portable/mobile transmitters in the aeronautical enroute service would be greatly reduced by the controlled airport environment in which they would be licensed to operate and by the indoctrination of personnel in the safety requirements in movement and servicing of aircraft. Moreover, any portable/mobile transmitting on an authorized channel would be heard by its associated ground station operator, and misuse would be immediately detected and corrected.

While one cannot completely eliminate the possibility that a transmitter licensed under such a rule might be used on frequencies other than those assigned, there are significant safeguards in place to assure that unlicensed operation would be quickly detected and corrected. ARINC, as the licensee for stations using frequencies in the aeronautical enroute service, regularly inspects all radio facilities, and conducts long-term automated monitoring at selected locations to search out use of unauthorized frequencies. In addition, ARINC is the central point of contact for anyone observing unauthorized use, or interference to aeronautical enroute communications, and acts quickly to resolve reported problems. Accordingly, the benefits to the public from improvements in safe and efficient aircraft movement from this rule change will greatly outweigh any potential negative effects.

PROPOSED RULE CHANGE

1. Add a new paragraph, 47 C.F.R. 87.49 "Application for Aeronautical Ground Mobile Stations" to read:

> In the Aeronautical Enroute Service, aeronautical ground mobile stations may be authorized to the licensee of an aeronautical station to operate in conjunction with the aeronautical station. The number of mobile stations shall be listed on the aeronautical station license. Mobile station operation shall be limited to the airport, and communications as described in 47 C.F.R. 87.261(a) will be limited to transmissions between the mobile station and the aeronautical station, or between the mobile station and an aircraft station.

2. Allow concurrent, single application licensing of an aeronautical enroute station, and multiple mobile units on the same frequency(ies) as an associated aeronautical station, under the same call sign by eliminating ("Check only one)" from FCC Form 406, line 20.

Respectfully submitted,

AERONAUTICAL RADIO, INC.

By: Kris E. Hutchison
Kris E. Hutchison

Director
Frequency Management
2551 Riva Road
Annapolis, MD 21401

WILEY, REIN & FIELDING
Of Counsel

February 2, 1995

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